

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

SIMON ARMIJO,

Plaintiff,

v.

CV No. 14-362 JB/CG

RONY D. HAYES, LARRY  
CEARLY, ROBERT GRIEGO,  
and the VILLAGE OF MAGDALENA,

Defendants.

**ORDER AMENDING CAPTION**

**THIS MATTER** is before the Court *sua sponte*. Plaintiff Simon Armijo, proceeding *pro se*, filed his *Civil Rights Complaint Pursuant to 42 U.S.C. § 1983* (“Complaint”), (Doc. 2), on April 16, 2014. Although the Complaint names Simon Armijo, Symone Armijo, Alicia Armijo, Della Apachito, and Clarice Armijo as parent of minor child Layla Lower, only Simon Armijo has signed the Complaint. Pursuant to FED. R. CIV. P. 11(a), “[e]very pleading . . . must be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented . . . The Court must strike an unsigned paper unless the omission is promptly corrected after being called to the [ ] party’s attention.”

When the Court brought this issue to Mr. Armijo’s attention, he explained that he believed he was representing the other named individuals in the Complaint. (See Doc. 32 at 1). However, while a litigant may bring his own claims to federal court without counsel, he cannot bring the claims of others. See *Fymbo v. State Farm Fire and Cas. Co.*, 213 F.3d 1320, 1321 (10th Cir. 2000) (citing 28 U.S.C. § 1654). Because the remaining plaintiffs have not signed the Complaint and because Mr. Armijo has done nothing to promptly correct this omission after it was called to his attention, the Court finds that the

remaining plaintiffs are not parties to this lawsuit and should be removed from the caption.<sup>1</sup>

**IT IS THEREFORE ORDERED** that, starting with this entry on the docket, the caption in this case be amended as follows:

SIMON ARMIJO,

Plaintiff,

v.

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RONY D. HAYES, LARRY  
CEARLY, ROBERT GRIEGO,  
and the VILLAGE OF MAGDALENA,

Defendants.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal line extending to the right.

THE HONORABLE CARMEN E. GARZA  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> To be sure, Mr. Armijo filed a *Motion to Amend Complaint*, (Doc. 37), on June 17, 2015, for which this Court has yet to recommend a disposition. In any event, the *Amended Complaint for Damages and Relief* is only signed by Simon Armijo, and again omits signatures by any of the remaining Plaintiffs. This, too, was brought to Mr. Armijo's attention. (See Doc. 49).